

REMARKS

The above amendments and following remarks are responsive to the points raised in the final Office Action and Advisory Action dated April 30, 2003 and August 13, 2003, respectively. By this Amendment, claims 1, 12, 16, 30, 38, 40, 43-44, 46-47, 51, 55, 64, 74, 78, 82, 85, and 92-98 have been amended. Claims 1-98 are all the claims pending in the application. Entry and consideration of this Amendment are respectfully requested.

I. SUMMARY OF EXAMINER INTERVIEW

On September 9, 2003, the Applicant and his representatives conducted an in-person interview with Examiner Myhre. During the interview, the Applicant pointed out with particularity the distinguishable features of the present invention. Specifically, the Applicant discussed how the revenue pool and functional host of the present invention differ from the cited Angles reference.

In particular, the Applicant pointed out that Angles fails to disclose a revenue pool that is financed by advertisers, etc., before presenting the content and advertisements to clients. Thus, the amount paid into the revenue pool by the advertisers is not based on the number of impressions, but instead the revenue pool is a predetermined or set amount that is divided among the content providers according to their percentage of total impressions.

Moreover, the functional host of the present invention was described by the Applicant as a small piece of software, such as a Java script, that is embedded in the content page, not embedded in a client's computer as a separate browser-like program.

At the end of the interview, the Examiner recommended that the above features of present invention be more clearly defined in the claims and that further review of Angles and other references would be required.

II. RESPONSE TO REJECTIONS UNDER 35 U.S.C. 112, FIRST PARAGRAPH

Claims 37, 39, 50, 56 and 65 stand rejected under 35 U.S.C. §112, first paragraph because it is alleged that the specification does not reasonably provide enablement for counting client impressions as claimed. The Examiner states that it is unclear whether only one client impression is being counted for completing all actions (e.g., viewing, printing, saving and transmitting), one client impression is being counted for each action, or some combination thereof. The Applicants respectfully traverse the above rejection for the following reasons.

The Applicants believe that there is sufficient support in the specification to allow one of ordinary skill in the art to make the invention as claimed. The Applicants first direct the Examiner's attention to page 5, line 21 to page 6, line 1 of the specification. In the specification, "impressions" are defined as actions by the client that include viewing of content, printing of content, storing of content and/or transmitting of content to another location. Continuing on page 13, lines 10–15, the specification goes on to explain how the impressions are counted. The specification states the following:

Each time a client views a particular content on the GCC during a session, the client (via the host) logs one impression in relation to that content. If the client views the content and then saves, prints, or e-mails that content to a friend,

one impression will be logged for that content provider for each action.

Page 19, line 23 to page 20, line 10 of the specification also gives a detailed explanation about how impressions are counted and credited. The specification states the following:

Once content is accessed, the content provider transmits content, such as a web page, to the client. During this time, the client will have either viewed, or heard, or otherwise had an "impression" of the content. Thus, one impression is credited to the content provider. ...If the client determines that the content is worthy of printing, the client may instruct the host or content to perform a print function. If the content is printed out, the content provider is credited with a second impression. If the client saves the content onto a storage medium, the content provider is credited with an impression as well.

Therefore, the Applicants believe that it is sufficiently clear from a reading of the specification that each action (e.g., viewing, printing, saving and transmitting) will result in an impression being counted and a content provider being credited. Accordingly, the Applicants respectfully request the §112 rejections to claims 37, 39, 50, 56 and 65 be withdrawn.

III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. 102(e)

Claims 1-10, 12-15, 30-36, 38, 44-49, 51-53, 55, 64 and 82-91 stand rejected as being anticipated by Angles et al. (U.S. Pat. No. 5,933,811, hereafter Angles). Accordingly, the Applicants have amended the claims as discussed during the September 9th interview with the Examiner to further distinguish the present invention from the cited prior art.

A. Claims 1-10, 12-15, 30-36, 38, 44-46, 64 and 85-91

As amended, claims 1, 30, 38, 44, 46, 64 and 85 more particularly point out that the revenue pool comprised of revenue collected from various revenue sources is determined prior to receiving, counting or determining the number of client impressions on content.

Angles appears to differ from the present invention in that revenue collected is dependent on the impressions received.

Accordingly, claims 1, 30, 38, 44, 46, 64 and 85 are believed to be distinguishable over Angles. Likewise, claims 2-10, 12-15, 32-36, 45 and 86-91 are also believed to be distinguishable over Angles based on their dependency from claims 1, 30, 44 and 85, respectively.

B. Claims 47-49, 51-53, 55 and 82-84

As amended, claims 47, 51, 55 and 82 more particularly point out that the functional host is embedded in a content page or web page that is transmitted to a client.

Angles, on the other hand, discloses unique software that is embedded in the client's computer.

Accordingly, claims 47, 51, 55 and 82 are distinguishable over Angles. Likewise, claims 48-49, 52-53, and 83-84 are also distinguishable over Angles based on their dependency on claim 47, 51 and 82, respectively.

IV. RESPONSE TO REJECTIONS UNDER 35 U.S.C. 103(a)

Claim 11 is rejected as being unpatentable over Angles. Claims 16-29, 40-43, 57-63 and 66-73 are rejected as being unpatentable over Angles in view of Logan et al. (U.S. Pat. No.

5,721,827, hereafter Logan). Finally, claims 77-81 are rejected under 35 U.S.C §103(a) as being unpatentable over Gerszberg et al. (U.S. Pat. No. 6,044,403, hereafter Gerszberg). Accordingly, the Applicants have amended the claims as discussed during the September 9th interview with the Examiner to further distinguish the present invention from the cited prior art.

A. Claim 11

Claim 11 is believed to be distinguishable over Angles based on its dependency from claim 1, which has been amended as suggested.

B. Claims 16-29, 40-43, 57-63 and 66-73

Claims 16, 40, 43, 55 and 64 have been amended to more particularly point out that the functional host is embedded in a content page or web page that is transmitted to a client. Moreover, claim 64 has also been amended to recite a revenue pool that is determined prior to receiving client impressions.

As stated previously, in Angles, the unique software is not embedded in content or a web page transmitted to the client, and the revenue pool is dependent on the client impressions received.

Finally, Logan fails to overcome the deficiencies noted above in Angles. Therefore, even if one of ordinary skill in art were to combine the teachings of Angles and Logan, the combination still would not possess all the limitations recited in claims 16, 40, and 43, 55 and 64. Likewise, claims 17-29, 41-42, 57-63 and 65-73 are also distinguishable over Angles in view of Logan based on their dependency from claim 16, 40, 43, 55 and 64, respectively.

C. Claims 77-81

As amended, claims 74 and 78 more particularly point out that the functional host is embedded in a content page transmitted from a sponsor to a client on the network.

Conversely, Gerszberg does not teach or suggest that the disclosed electronic coupon be embedded in a content page that is transmitted to a client.

Accordingly, claims 74 and 78 are believed to be distinguishable over Gerszberg for at least the reasons noted above. Likewise, claims 76, 76, 77, 80 and 81 are also believed to be distinguishable over Gerszberg based on their dependency on claims 74 and 78, respectively.

CONCLUSION:

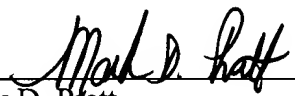
In view of the foregoing, Applicants respectfully submit that all of the pending claims are patentable over the prior art of record, and are now in condition for allowance.

AUTHORIZATION:

Two checks for \$375.00 and \$205.00 are enclosed for covering the RCE filing fees and extension fees, respectively. The Commissioner is also hereby authorized to charge any additional fees, which may be required for this filing, or credit any overpayment to Deposit Account 13-4503, Order No. 3835-4002.

Respectfully submitted,
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